

FILED**MAR 07 2017**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOISCLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS OFFICE

UNITED STATES OF AMERICA,

Plaintiff,

vs.

THOMAS J. RICHTER,

Defendant.

CRIMINAL NO. 8. 17-ny-3031-DGW

Title 18, United States Code,
Sections 2252(a)(2)(B)**FILED UNDER SEAL****CRIMINAL COMPLAINT**

I, Detective Lieutenant David Vucich of the Madison County Sheriff's Office, assigned to the FBI's Child Exploitation Task Force as a Special Federal Officer, the undersigned complainant, being duly sworn, states the following is true and correct to the best of my knowledge and belief:

COUNT 1**DISTRIBUTION OF CHILD PORNOGRAPHY**

On or about October 24, 2016, in Madison County, Illinois, which is within the Southern District of Illinois,

THOMAS J. RICHTER,

defendant herein, did knowingly distribute visual depictions containing child pornography, as defined in Title 18 United States Code, Section 2256(8)(A), including, but not limited to, the following: image file 706431891519241583.png, which depicts a nude female approximately 9 years of age sitting in a studio portrait background with legs open exposing her genitalia and bare breasts, that had been shipped or transported in or affecting interstate or foreign commerce by any means, including by computer, all in violation of Title 18, United States Code, Section 2252A(a)(2)(B) & (b).

COUNT 2

RECEIPT OF CHILD PORNOGRAPHY

On or about November 28, 2016, in Madison County, Illinois, which is within the Southern District of Illinois,

THOMAS J. RICHTER,

defendant herein, did knowingly receive visual depictions containing child pornography, as defined in Title 18 United States Code, Section 2256(8)(A), including but not limited to the following: image file IMG_0076.JPG, which depicts a nude female approximately 8 years of age wearing gloves and lipstick and kneeling in a studio portrait background with legs open exposing her genitalia and bare breasts, that had been shipped or transported in or affecting interstate or foreign commerce by any means, including by computer, all in violation of Title 18, United States Code, Section 2252A(a)(2)(B) & (b).

AFFIDAVIT

Affiant has been a sworn peace officer in the State of Illinois since 1997. Affiant is employed as a Detective with the Madison County Sheriff's Office and is assigned to the Digital Forensic Crime Unit. Affiant is also assigned to the Federal Bureau of Investigations, Child Exploitation Task Force as a Special Federal Officer (SFO). Affiant has received extensive training related to computer crimes consisting of on-line investigations and computer forensic courses. These training sessions were taught by the National White Collar Crime Center (NW3C), Southern Illinois Law Enforcement Commission (S.I.L.E.C), Access Data, Illinois Internet Crimes against Children (I.C.A.C) Task Force, and the Federal Bureau of Investigation (F.B.I).

On February 3, 2017, the Madison County Sheriff's Office received a National Center for Missing and Exploited Children (NCMEC) CyberTipline lead, from the Illinois Internet Crimes

Against Children (ICAC) Taskforce regarding a subject uploading an image containing child pornography, specifically described as prepubescent female children, around the age of ten, posed with her genital region exposed in a provocative and deliberate manner to a Pinterest.com account, identified as seismicscale87. Pinterest identified the Internet Protocol (IP) address associated to the upload of Child Pornography as 75.134.206.23 on October 16, 2016 at 22:43:51 UTC. Charter Communications was identified as the Internet Service Provider (ISP) who managed and owned the IP address of 75.134.206.23.

The investigation showed that there were several additional CyberTipline leads from Pinterest of child pornography images being uploaded from the same 75.134.206.23 IP address between October 16, 2016 and October 24, 2016. The images depict prepubescent females, from the approximate ages of six to thirteen, posed and exposing their sex organs in various stages of undress. Pinterest flagged the images as child pornography, employees viewed the images and made notification to NCMEC that the images were being uploaded to their servers.

Based upon this NCMEC lead, Affiant testified in front of a Grand Jury in the Third Judicial Circuit Court in Madison County, Illinois to obtain account information for the IP logs associated with the Pinterest.com account identified as seismicscale87 as well as subscriber information and IP logs from Charter Communication related to the 75.134.206.23 IP address during the time in question, October 16, 2016 at 22:43:51 UTC.

According to the report received from NCMEC, Pinterest provided the following user information associated to the "seismicscale87" account that was associated to uploading child pornography onto Pinterest:

Screen/User Name: seismicscale87

Name: T.J. Rich

Email Address: seismicscale87@gmail.com (Verified)

Profile URL: <https://www.pinterest.com/seismicscale87/>
IP Address: 75.134.206.23 (Registration)
10-16-2016 22:22:01 UTC
IP Address: 75.134.206.23 (Login)
10-16-2016 22:22:00 UTC
IP Address: 75.134.206.23 (Login)
10-21-2016 03:30:16 UTC
IP Address: 75.134.206.23 (Login)
10-24-2016 04:13:54 UTC
IP Address: 75.134.206.23 (Login)
10-17-2016 23:18:51 UTC.

An online open source search of the associated email address of seismicscale87@gmail.com, located a Facebook account identified as "Thomas Richter" (Thomas.richter.3517) based in Troy Illinois. Profile images on the Thomas Richter Facebook account, dated November 27, 2016, identified a male subject as Thomas Richter. Through a search of Illinois Secretary of State and Missouri Department of Revenue databases, Detective Sergeant Brian Koberna with the MCSO was able to identify the subject as Thomas James Richter, a white male with a date of birth of May 12, 1987.

On February 24, 2017 investigators from the Madison County Sheriff's Office received information from Charter Communications related to the Madison County grand jury subpoena. Charter Communication confirmed that the IP address of 75.134.206.23 is registered to Thomas Richter with a service address of 505 Trout Lane, Troy, Illinois and was registered under that same name and address during the timeframe of October 16, 2016 to October 24, 2016 when the images of child pornography were uploaded.

On February 28, 2017 at approximately 9:14 AM, Detectives Brian Koberna and Timothy Lawrence conducted surveillance on the residence at 505 Trout Lane, Troy, Illinois and observed a black Ford Escape, bearing Illinois Registration P807415, parked in the driveway to the rear of the residence. The black Ford Escape, parked in the driveway to the residence was registered to

Thomas J. Richter. Madison County Government Records showed the owner of 505 Trout Lane, Troy, Illinois (Parcel 09-2-22-03-03-302-028) as being Monica and Thomas Richter (parents of Thomas J. Richter).

On March 2, 2017, a federal search warrant was obtained for the search of 505 Trout lane in Troy, Illinois. The search warrant was executed on March 3, 2017 at 6:18 AM by Affiant and members of the FBI Cyber Task Force, Troy Police Department and MCSO. Thomas J. Richter ("Richter") was present as well as his parents. A number of items were seized from the residence including Richter's cellular phone, iPad and computer. Richter agreed to be interviewed and was transported to the Troy Police Department.

Affiant read Richter his Miranda rights and the interview was video recorded. Richter was shown the child pornography images associated with the "seismicscale87" Pinterest account. Richter admitted ownership of the "seismicscale87" Pinterest account. Richter also admitted to downloading several of the child pornography images that Pinterest provided to NCMEC. Richter stated that a friend's 6-year-old daughter had a habit of showing her underwear to Richter. Richter further stated that he intended to buy this child some underwear and performed an internet search for "little girl's underwear". Richter claimed that is how he located the child pornography that he downloaded. A forensic interview with the 6-year-old child is scheduled at the Madison County Child Advocacy Center on March 8, 2017.

From the initial forensic preview of the phones and computers received from Richter, approximately 5 images consistent with child pornography were observed. Included in the images located on Richter's Apple iPad Air bearing serial number DLXMT1TRF4YD was image file 706431891519241583.png, which depicts a nude female approximately 9 years of age sitting in a studio portrait background with legs open exposing her genitalia and bare breasts. The Apple iPad

Air bearing serial number DLXMT1TRF4YD and some or all of its component parts were manufactured outside the State of Illinois.

Pinterest reported that a total of 9 images consistent with child pornography were disseminated by Richter's Pinterest account. Pinterest reported to NCMEC that the 9 images were uploaded to Richter's Pinterest account and posted on a public forum that was therefore accessible for public view. One of the 9 images publicly posted on Richter's Pinterest account was image file IMG_0076.JPG, which depicts a nude female approximately 8 years of age wearing gloves and lipstick and kneeling in a studio portrait background with legs open exposing her genitalia and bare breasts. Richter's iPad contained internet search history from January 23, 2017, through February 24, 2017, terms related to "preteen naked, little girls naked, preteen girls naked, tiny girls naked, flat chest young naked, flat chested teen girls naked, and little girls nude." Pinterest is a free website that operates using the Internet, which is a facility of interstate commerce.

Affiant requests that this complaint and affidavit be filed under seal because the investigation is ongoing.

FURTHER AFFIANT SAYETH NAUGHT.

SFO David Vucich
David Vucich, Special Federal Officer
Madison County Sheriff's Department

State of Illinois)
) SS
County of St. Clair)

Sworn to before me and subscribed in my presence on the 7th day of March 2017, at East St. Louis, Illinois.

Donald G. Wilkerson
Donald G. Wilkerson
United State Magistrate Judge

DONALD BOYCE
United States Attorney

Ali Summers
Ali Summers
Assistant United States Attorney

